

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2003-0003

WASTE DISCHARGE REQUIREMENTS
FOR
POST-CLOSURE MAINTENANCE
FOR
MASSEY SAND AND ROCK COMPANY, OWNER/OPERATOR
INDIO CLOSED LANDFILL
CLASS III MUNICIPAL SOLID WASTE LANDFILL
Indio – Riverside County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Massey Sand and Rock Company, 1151 Azalea Garden Road, Norfolk, VA 23502, owner and operator (hereinafter referred to as the discharger) of the Indio Closed Landfill (hereinafter referred to as the Facility), located north of the City of Indio at 38000 Monroe Street, submitted an application Form 200 on June 17, 2002, to modify the waste discharge requirements (WDR) contained in Board Order No. R7-2002-0121. The application was reviewed and approved by Regional Board staff.
2. Board Order No. R7-2002-0121 is being revised for the sole purpose of isolating two (2) permanently inactive disposal areas that have received municipal solid waste (MSW) (disposal areas I and II) from the active inert waste portion (disposal area III) of the Granite Waste Management Facility. These three (3) disposal areas are being divided into two (2) independent waste management facilities with separate waste discharge requirements (WDRs) to reflect changes in ownership and to simplify regulatory compliance.
3. Definitions of terms used in this Board Order:
 - a. Waste Management Facility (WMF) – The entire parcel of property at which waste discharge operations are conducted.
 - b. Waste Management Unit (WMU) – An area of land, or a portion of the waste management facility, at which waste is discharged.
 - c. Landfill – A waste management unit at which waste is discharged in or on land for disposal. It does not include surface impoundments, waste piles, or land treatment of soil amendment.
 - d. Inert Waste – Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.
4. The Indio Closed Landfill (Facility) was previously known as “Disposal Area I” and “Disposal Area II” of the former Granite Waste Management Facility, which included Disposal Area III, and was owned and operated by Tarmac California, Inc., 1151 Azalea Garden Road, Norfolk, VA 23502, and Massey Sand and Rock Company, 1151 Azalea Garden Road, Norfolk, VA 23502 and Granite Construction Company, 38000 Monroe Street, Indio, CA 92203.
5. The Discharger requested that separate WDRs be issued for Indio Closed Landfill (Disposal Areas I and II) in their Report of Waste Discharge (ROWD) submitted on June 17, 2002.
6. Ownership of Disposal Area III of the Granite Waste Management Facility was transferred to Granite Construction Company on June 1, 1992 Disposal Area III has been renamed “Granite

Inert Waste Facility” and is regulated under a separate Board Order (Board Order No. R7-2003-0004).

7. Massey Sand and Rock Company (MSRC), a partnership of William E. Carter, T.H. Carter, and Anita L. Ellis, owned the Property until June 1, 1992.
8. During the period of 1991-1994, several property ownership changes for the GWMF occurred:

Owner	Board Order No.	Adopted	To
Tarmac California, Inc.	91-047	09/18/91	11/18/92
Granite Construction, Inc.	92-066	11/18/92	03/15/94
Tarmac California, Inc.	94-034	03/15/94	05/17/94
Granite Construction, Inc.	94-059	05/17/94	Present

9. The Facility is located in southern California, three (3) miles north of the City of Indio on Monroe Street, as shown on Attachment A.
10. For the purpose of these WDRs, the term Landfill includes the two (2) separate Disposal Areas that are described as Disposal Area I and Disposal Area II as follows and as shown on Attachment B:
 - A. Disposal Area I, located in the NE ¼ of the NE ¼ of Section 3, T5S, R7E, SBB&M:
 1. MSRC began operating this 140-acre Disposal Area in 1960, after it became subject to WDRs under Resolution No. 60-013.
 2. The types of waste placed in this Disposal Area, as stated in Resolution No. 60-013, were “all types of refuse presently disposed of by the City of Indio and surrounding areas”.
 3. In 1966, Resolution No. 60-013 was updated by Resolution No. 66-002. Under this Resolution, 50 tons per day of “all household and other dry rubbish and dry garbage” was approved for disposal in Disposal Area I.
 4. In 1970, under updated Resolution No. 70-010, MSRC allowed “disposal by the public in accordance with agreement with the County of Riverside”. Under this Resolution, approximately 400 to 500 cubic yards per day of household and other rubbish, garbage, and empty pesticide and chemical containers were approved for disposal in this Disposal Area.
 5. By 1977, this Disposal Area was inactive and was covered with “several feet of soil”.
 - B. Disposal Area II, located in the NE ¼ of the NE ¼ of Section 3, T5S, R7E, SBB&M:
 1. In 1977, Resolution No. 70-010 was updated by Board Order No. 77-021, permitting MSRC to discharge into the five (5)-acre Disposal Area II.
 2. MSRC used Disposal Area II as a municipal solid waste landfill from 1977 to 1985. In 1985, this area stopped receiving waste and was covered with several feet of soil.
11. The WMUs previously designated as Disposal Area I and Disposal Area II are renamed “Indio Closed Landfill” and consist only of the portion labeled, “Massey Sand and Rock Company

Property” as shown on Attachment B. Waste Discharge Requirements (WDRs) for the “Indio Closed Landfill” (facility) are contained wholly in this Board Order.

12. The WMU previously designated Disposal Area III began operation in 1985 as an inert waste disposal unit. Detailed information and WDRs for Disposal Area III can be found in Board Order No. R7-2003-0003.
13. The discharger reports that Disposal Areas I and II have been inactive since 1977 and 1985 respectively.
14. The discharger reports that there will be no further disposal of any types of waste as stated in the State Water Resources Control Board/California Integrated Waste Management Board Regulations, Division 2, Title 27, (hereinafter referred to as Title 27), to the Facility.
15. The discharger submitted an Interim Closure Construction Report (ICCR) dated June 2, 1995 to the Regional Board. Regional Board staff reviewed the ICCR and determined that sufficient requirements for closure of the landfill had been met. A letter dated October 12, 1995 notified the discharger that Regional Board conditions for closure had been met.
16. The Facility is located on the southern flank of the Indio Hills. The Indio Hills trend northwest along the northeastern margin of the Coachella Valley. The WMF is underlain by Quaternary (Pleistocene) Ocotillo Conglomerate and Quaternary Alluvial Fans of various ages.
17. The San Andreas Fault System is located north of the Facility. The system consists of the San Andreas, Banning and Mission Creek faults. The system acts as a ground water barrier. The water table on the north side of the fault zone is near the surface, while no ground water was encountered at the facility south of the fault zone to a depth of at least 150 feet.
18. The discharger reports there are no known Holocene faults within the Facility boundary or within ¼ miles of the Landfill.
19. The Landfill is not lined, and does not have a leachate, and/or gas collection and removal system.
20. Between December 1990 and January 1991, three (3) ground water monitoring wells (MW1, MW2, and MW4) were constructed at the Facility. In 1995, one (1) more monitoring well (MW7) was added. Of the four (4) wells located at the site, one (1) of the wells are upgradient (MW4) and three (3) of the wells (MW1, MW2, and MW7) are downgradient. Attachment B shows the location of these wells.
21. The depth to the ground water ranges from 120 to 220 feet below ground surface. Ground water flows south to southwest.
22. Land use within a one (1)-mile radius is agriculture/open space.
23. Analyses of ground water samples taken from the monitoring wells at the Landfill during the quarterly monitoring period in 1991 indicated that no detectable concentrations of Volatile Organic Compounds (VOC) were present in the samples.
24. Quarterly monitoring reports submitted by the discharger from 1993 through 1995, indicated the following:
 - a. Tetrachloroethene (PCE) concentration ranged from 1.0 µg/L on September 9, 1993, to 12 µg/L on December 5, 1995.

- b. Trichloroethene (TCE) concentrations ranged from 0.8 µg/L on September 9, 1993, to 3.2 µg/L on December 5, 1995.
- 25. On June 12, 1996, the Regional Board's Executive Officer issued Cleanup and Abatement Order (CAO) No. 96-044.
- 26. On June 2, 1997, the Regional Board's Executive Officer issued CAO No. 97-077 revising CAO No. 96-044.
- 27. The quarterly and semi-annual monitoring and reporting of the ground water under the Landfill during the years 1997 to 1999 indicated stable conditions of the PCE and TCE and concentrations below Maximum Contaminant Levels (MCLs).
- 28. On November 10, 1999, the Regional Board's Executive Officer rescinded CAO No. 97-077.
- 29. The discharger reports that the 100-year 24-hour storm event for the Landfill is 4.78 inches.
- 30. Annual average precipitation and evaporation in the area is at 3 ½ and 100 inches, respectively.
- 31. The WMF is not within the 100-year flood plain.
- 32. The Landfill is located in Coachella Hydrologic Subunit.
- 33. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designated the beneficial uses of ground and surface waters in this Region.
- 34. The beneficial uses of ground waters in the Coachella Hydrologic Subunit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural (AGR)
- 35. Federal regulations for storm water discharges were promulgated by the USEPA (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.
- 36. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).
- 37. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2003-0003 are necessary to determine compliance with these WDRs and to determine the facility's impacts, if any, on ground water.
- 38. The Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
- 39. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. R7-2002-0121 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the California Water Code.
2. Waste materials shall be confined to the existing footprint of the WMF as defined in Findings No. 11 and 12 and depicted in the attached site map (Attachment B).
3. The discharge shall not cause degradation of any water supply.
4. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources, shall not contact or percolate through the wastes discharged at this site.
5. The exterior surfaces of the disposal area, including the intermediate and final landfill covers, shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.
6. The Discharger shall inspect the Landfill annually. The inspection shall include the following areas: final grade, final cover, cover vegetation, ground water monitoring system, and nuisance control measures for litter, vector, and fire control.
7. The Discharger shall inspect the landfill annually for erosion and settlement of the cover system throughout the post-closure maintenance period. Any erosion and/or settlement of the cover system will be appropriately mitigated in a manner acceptable to the Regional Board's Executive Officer.
8. The discharger shall use the constituents listed in Monitoring and Reporting Program No. R7-2003-0003 and revisions thereto, as "monitoring parameters". These monitoring parameters are subject to the most appropriate tests under Monitoring and Reporting Program No. R7-2003-0003, Part III, and any revised Monitoring and Reporting Program approved by the Regional Board's Executive Officer.
9. The discharger shall implement the attached Monitoring and Reporting Program No. R7-2003-0003 and revisions thereto in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the Landfill, or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the Landfill.
10. The discharger shall not cause the concentration of any Constituent of Concern (COC) or monitoring parameters to exceed its respective background value in any monitored medium at any Monitoring Point assigned to Detection Monitoring pursuant to Parts II.B.3 of the attached Monitoring and Reporting Program No. R7-2003-0003.
11. The discharger shall follow the Water Quality Protection Standards (WQPS) for detection monitoring established by the Regional Board in this Board Order pursuant to Title 27, Section 20390. The following are five (5) parts of WQPS as established by the Regional Board (the terms used in this Board Order regarding monitoring are defined in Part I of the attached Monitoring and Reporting Program No. R7-2003-0003, and revisions thereto, which is hereby incorporated by reference):
 - a. The discharger shall test for the monitoring parameters and the COCs listed in Monitoring and Reporting Program No. R7-2003-0003 and revisions thereto.

- b. Concentration Limit – The concentration limits for each monitoring parameter and COC for each monitoring point (as stated in Detection Monitoring Program Part II), shall be its background value as obtained during that reporting period.
 - c. Monitoring points and background monitoring points for detection monitoring shall be those listed in Part II.B.3.a of the attached Monitoring and Reporting Program No. R7-2003-0003 and revisions thereto.
 - d. Points of Compliance – (Section 20405, Title 27) shall be those monitoring points listed in Part II.B.3.a.ii of attached Monitoring and Reporting Program No. R7-2003-0003.
 - e. Compliance Period – The estimated duration of the compliance period for this WMF is six (6) years. Each time the Standard is not met (i.e., releases discovered), the Landfill begins a compliance period on the date the Regional Board directs the dischargers to begin an Evaluation Monitoring Program. If the dischargers' Corrective Action Program (CAP) has not achieved compliance with the standard by the scheduled end of the compliance period, the compliance period is automatically extended until the WMF has been in continuous compliance for at least three (3) consecutive years.
- 12. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
 - 13. Water used for site maintenance shall be limited to amounts necessary for dust control.
 - 14. The WMF shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.
 - 15. The discharge shall not cause the release of pollutants, or waste constituents in a manner which could cause a condition of contamination, or pollution to occur, as detected by the most appropriate statistical (or non-statistical) data analysis method and retest method listed in Part III of the attached Monitoring and Reporting Program No. R7-2003-0003 and revisions thereto.

B. Prohibitions

- 1. The discharge or deposit of all types of waste (as defined in Title 27) is prohibited.
- 2. The discharge of waste to land not owned or controlled by the discharger is prohibited.
- 3. The WMF shall neither cause nor contribute to the contamination or pollution of ground water via the release of waste constituents in either liquid or gaseous phase.
- 4. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.

C. Provisions

- 1. The discharger shall comply with Monitoring and Reporting Program No. R7-2003-0003 and future revisions thereto, as specified by the Regional Board's Executive Officer.
- 2. Prior to any changes in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
- 3. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.

4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
5. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor, at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
6. The discharger shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil or other geologic materials outside the Landfill if such waste constituents could migrate to waters of the State in either the liquid or the gaseous phase, and cause conditions of contamination or pollution.
7. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
8. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the California State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the USEPA.
9. All regulated disposal systems shall be readily accessible for sampling and inspection.
10. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
11. The discharger is the responsible party for the WDRs and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Regional Board Orders or Court Orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these WDRs by the Regional Board.
12. The Regional Board considers the property owner to have a continuing responsibility for correcting any problems that may arise in the future as a result of this waste discharge.
13. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer and in Monitoring and Reporting Program R7-2003-0003. Such specifications are subject to periodic revisions as may be warranted.
14. All containment structures and erosion and drainage control systems shall be designed and constructed under direct supervision of a California Registered Civil Engineer or Certified Engineering Geologist, and shall be certified by the individual as meeting the prescriptive standards and performance goals of Title 27.

15. After a significant earthquake event, the discharger shall:
 - a. Immediately notify the Regional Board by phone; and
 - b. Within seven (7) days, submit to the Regional Board, a detailed post-earthquake report describing any physical damages to the containment features, ground water monitoring and/or leachate control facilities and a corrective action plan to be implemented at the landfill.
16. The discharger shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions, which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
17. Within 180 days of the adoption of this Board Order, the discharger shall submit to the Regional Board, in accordance with Section 20380(b) of Title 27, assurance of financial responsibility acceptable to the Regional Board's Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable release from the Landfill.
18. The Discharger shall submit to this Regional Board and to the California Integrated Waste Management Board, evidence of Financial Assurance for Post-Closure, pursuant to Section 22212, Title 27. The post-closure period shall be at least 30 years, commencing from October 12, 1995. However, the post-closure maintenance period shall extend as long as the waste poses a threat to water quality.
19. This Board Order is subject to Regional Board review and updating, as necessary, to comply with changing state or federal laws, regulations, policies, or changes in the monitoring or discharge characteristics.

I, Philip A. Gruenberg, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on September 3, 2003.

Executive Officer